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DEPARTMENT OF THE ARMY

U.S. ARMY CRIMINAL INVESTIGATION COMMAND

Fort Lewis CID Office

P.O. Box 339500, MS 84, Joint Base Lewis-McChord, WA 98433-9500

23 Mar 2014

MEMORANDUM FOR: SEE DISTRIBUTION

SUBJECT: CID REPORT OF INVESTIGATION - FINAL/SSI - 0996-2012-CID016-91527 -
5H1J / 9J

DATES/TIMES/LOCATIONS OF OCCURRENCES:

1. 01 JAN 2011, 0001 - 01 JUN 2012, 2359; FOB LAGHMAN, ZABUL PROVINCE,
AFGHANISTAN, APO, AE 09383

DATE/TIME REPORTED: 29 NOV 2012, 1310

INVESTIGATED BY:

SA (b)(6) (b)(7)(C), (b) (7)(E)
SA
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SUBJECT:

1. NONE, ; [MURDER (UNFOUNDED)] (NFI)

VICTIM:

1. NONE, ; [MURDER (UNFOUNDED)] (NFI)

INVESTIGATIVE SUMMARY:

This investigation was initiated via Memorandum of Transmittal (MOT) from the Kandahar CID Office, Kandahar Airfield, Afghanistan, APO, AE 09335, wherein CPT (b)(6) (b)(7)(C) Brigade Staff Judge Advocate, 1st Brigade Combat Team (BCT), 3rd Infantry Division (ID), Forward Operating Base (FOB) Apache, Afghanistan, APO, AE 09383, reported the possible murder of an Afghan local national by a U.S. Army medic.

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Investigation determined the offense of Murder did not occur as originally reported. After a thorough investigation, to include interviews of all witnesses and suspects, and coordination with medical subject matter experts, it was determined there was no probable cause to believe an Afghan was murdered by a US Soldier/MEDIC by means of an intentional heroin overdose.

CPT (b)(6) (b)(7)(C) Trial Counsel, Office of the Staff Judge Advocate, Joint Base Lewis-McChord, WA 98433 (JBLM), opined probable cause did not exist to believe the offense of Murder had occurred.

STATUTE:

Article 118, UCMJ: Murder (Unfounded)

EXHIBITS:

Attached:

1. Agent's Investigation Report (AIR) of SA (b)(6) (b)(7)(C) 30 Nov 12.
2. Statement of SPC (b)(6) (b)(7)(C) 29 Nov 12.
3. Statement of SPC (b)(6) (b)(7)(C) 29 Nov 12.
4. Statement of SPC (b)(6) (b)(7)(C) 8 Jun 12.
5. Statement of PFC (b)(6) (b)(7)(C) 8 Jul 12.
6. Statement of SSG 8 Jun 12.
7. (7-1 through 7-9) DA Form 3949, Controlled Substances Records.
8. Issue Delivery list, 15 Mar 12.
9. DA Form 3161, Request For Issue or Turn-In, 18 Feb 12.
10. (10-1 through 10-3) DA Form 2062, Hand Receipts.
11. AIR of SA (b)(6) (b)(7)(C) 12 Dec 12.
12. Statement of SPC (b)(6) (b)(7)(C) 8 Dec 12.

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13. Waiver Certificate and Statement of SPC (b)(6) (b)(7)(C) 12 Dec 12.

14. AIR of SA (b)(6) (b)(7)(C) 1 Mar 13.

15. Statement of (b)(6) (b)(7)(C) 1 Mar 13.

16. Statement of CPT (b)(6) (b)(7)(C) 8 Mar 13.

17. AIR of SA (b)(6) (b)(7)(C) 2 Apr 13.

18. Statement of SPC (b)(6) (b)(7)(C) 2 Apr 13.

19. AIR of SA (b)(6) (b)(7)(C) 29 May 13.

20. AIR of SA (b)(6) (b)(7)(C) 31 Jul 13.

21. Waiver Certificate and Statement of 1LT (b)(6) (b)(7)(C) 24 Jul 13.

22. AIR of SA (b)(6) (b)(7)(C) Sep 13.

23. AIR of SA (b)(6) (b)(7)(C) 22 Jan 13.

24. Statement of 1LT (b)(6) (b)(7)(C) 22 Jan 13.

25. AIR of SA (b)(6) (b)(7)(C) 27 Aug 13.

26. Statement of 1LT (b)(6) (b)(7)(C) 29 Jun 13.

27. AIR of SA (b)(6) (b)(7)(C) 12 Mar 14.

Not Attached:

None.

The originals of Exhibits 1-4 and 11-27 are retained in the files of this office. The originals of Exhibits 5 and 6 are retained in the files of 1-37th FA BN, 3/2 SBCT, JBLM. The originals of Exhibits 7-10 are retained in the files of Medical Clinic, FOB Lagman, Afghanistan, APO AE 09383.

STATUS: This is a Final Report. Commander's Report of Disciplinary or Administrative Action (DA Form 4833) is not required.

CID reports of investigation are subject to Quality Assurance Review by CID higher headquarters.

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Report Prepared By:

Report Approved By:

(b)(6) (b)(7)(C)

Special Agent

(b)(6) (b)(7)(C)

Special Agent in Charge

DISTRIBUTION:

Dir, USACRC, Quantico, VA

7ID SJA, SENIOR TRIAL COUNSEL (CPT (b)(6) (b)(7)(C))

7ID SJA, CHIEF OF CRIMINAL LAW

PROVOST MARSHAL OFFICE OPERATIONS JBLM WA

Commander, 22nd MP Battalion (CID)

Commander, 6th MP Group (CID), Fort Lewis, WA 98433

7ID PROVOST MARSHAL JBLM WA [LTC (b)(6) (b)(7)(C)]

Office of the Armed Forces Medical Examiner, 115 Purple Heart Drive, Dover AFB, DE 19902

Commander, USACIDC, ATTN: CIOP-ZA, 27130 Telegraph Road, VA 22134

I Corps PMO (Col (b)(6) (b)(7)(C))

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